

David Madrigal #1111-4151
Name

2000 Cibola Loop
Address

Cibola County Correctional Center
Milam, NM 87021

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

NOV 01 2022

MITCHELL R. ELFERS
CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

David Madrigal, Plaintiff
(Full Name)

CASE NO. 22-821 DHU-KBM
(To be supplied by the Clerk)

v.

, Defendant(s)

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. §1983

Cibola County Corr./CCA

A. JURISDICTION

1) David Madrigal, is a citizen of New Mexico
(Plaintiff) (State)
who presently resides at Cibola County Correctional Center
(Mailing address or place of confinement)
~~2000~~ 2000 Cibola Loop Milam, NM 87021

2) Defendant Cibola County Correctional Center is a citizen of
(Name of first defendant)
Milam, NM New Mexico, and is employed as
(City, State)
Correctional Center. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of state law?
Yes ☐ No ☒ If your answer is "Yes", briefly explain:

3) Defendant L. + Colt / S. I. S is a citizen of
(Name of second defendant)
2000 Cibola Loop Milan, NM 87004, and is employed as
(City, State)
Correctional Center / C.C.A. At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state.

Yes ☐ No ☒ If your answer is "Yes", briefly explain:

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42 U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

2015 I was filmed by A&E On Behind Bars Rookies Season 2 Episode 6 "Mind Games" without my consent. This segment went viral. In State prison I was placed in R.P.P. Due to my safety of film, 2020 I get to federal holding in Milan. Sgt. Nelson does intake / Classification I told Sgt Nelson about film and requested P.C. She failed to put me in my right classification. 2020 June were issued tablets with apps. 2021 the film gets played on A&E as a rerun and several inmates and C.O. staff recognize me and talk from film. Middle 2021 on tablet "plate app" Under Category Crime 300. ~~dead~~ The film started to surface. Now the film starts becoming the talk of the federal holding facility. I let Capt. Snogross know about the film and me going to p.c. I was told to talk with Lt. Colt therefore I did an know action was taken. I had got jumped by three individuals due to film. I have screen shots taken by family and I have facial injuries. Late Dec. I had got jumped by 20 inmates and stabbed nine times medical and S.I.S have pics of injuries. I got stabbed once on left thigh once on stomach, 3 times on left hand, 0 by left eye 0 times in the back 0 of my head. 217 due to film. -2-

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.)

A)(1) Count I: *Equal protection rights, be free from negligence and ASSULT. and To Be free From Deliberate Indifference. The Right To Adequate medical care within a timely manner.*

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

lt. Colt. / SIS 2021. Oct Lt. Snodgrass 2021 Nov. Capt Butler 2022

B)(1) Count II: *Deliberate Indifference*

(2) Supporting Facts: *My TACK WITH ADMINISTRATION Incident Is On an app On tablet. C.O.'s Aware of factors And willingly and knowingly unlawfully placed me in danger but not removing it and placing me in a situation to where I was in immediate danger and suffered life threatening injuries.*

C)(1) Count III:

Physical Assaulted life threatening injuries
mental anguish, pain and suffering, ~~injury~~
medical negligence,

(2) Supporting Facts:

Medical records, P. H. O and
Camera footage and S. I. S pictures
ATTN: ~~Shirley~~ ATTN: "Sapeena"

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit.

Plaintiffs: NA

Defendants: NA

b) Name of court and docket number: NA

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) NA

d) Issues raised: NA

e) Approximate date of filing lawsuit: NA

f) Approximate date of disposition: NA

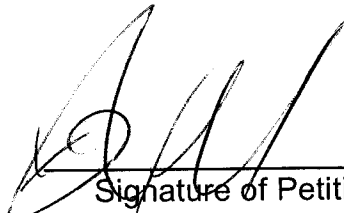
- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

\$ 9,999,999 CASH and a
sentence reduction

Signature of Attorney (if any)



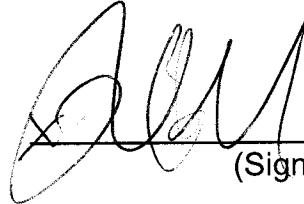
Signature of Petitioner

Attorney's full address and telephone
number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at 2600 Cibola Loop NE Albuquerque NM 87021 on 10-19 2022
(Location) (Date)



(Signature)

David MacCigau #1111-4151
Cibola County Correctional Center
Box 3540
Milam, NM 87021

DISTRICT OF NEW MEXICO
Office of the Clerk Site 270
333 Tomas Blvd. NW
Albuquerque New Mexico 87102

RECEIVED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
NOV 01 2022
MITCHELL R. ELFFERS
CLERK

LEGAL
FAC